

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

GLENN WHICKER NEAL, JR.,)
Petitioner,)
v.) 1:23-cv-284
BEN ANDERSON, Warden Piedmont)
Correction Institution,)
Respondent.)

ORDER

On February 6, 2024, the United States Magistrate Judge's Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 4, 5.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation is **ADOPTED**. **IT IS FURTHER ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** to Petitioner refiling his Petition correcting the errors noted in the prior Order. The court further finds there is no substantial showing of the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, therefore a certificate of

appealability is not issued.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 14th day of March, 2024.

William L. Osten, Jr.
United States District Judge